

MESSAGE NO: 9204111

MESSAGE DATE: 07/23/1999

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: FIN-Final Determination PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-845

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 06/08/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION
OF STAINLESS STEEL AND STRIP IN COILS FROM JAPAN (A-588-845)

MESSAGE NO: 9204111

DATE: 07 23 1999

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 845

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PERIOD COVERED: 06 08 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY
INVESTIGATION OF STAINLESS STEEL AND STRIP IN COILS
FROM JAPAN (A-588-845)

1. ON 06/08/1999, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE
FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS
THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF
STAINLESS STEEL SHEET AND STRIP IN COILS FROM JAPAN (64 FR
30574).

2. THE DEPARTMENT OF COMMERCE HAS MADE MINOR CORRECTIONS TO THE
SCOPE LANGUAGE EXCLUDING CERTAIN STAINLESS STEEL FOIL FOR
AUTOMOTIVE CATALYTIC CONVERTERS AND CERTAIN SPECIALTY

STAINLESS STEEL PRODUCTS IN RESPONSE TO COMMENTS BY
INTERESTED PARTIES.

FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCTS COVERED ARE CERTAIN STAINLESS STEEL SHEET AND STRIP IN COILS. STAINLESS STEEL IS AN ALLOY STEEL CONTAINING, BY WEIGHT, 1.2 PERCENT OR LESS OF CARBON AND 10.5 PERCENT OR MORE OF CHROMIUM, WITH OR WITHOUT OTHER ELEMENTS. THE SUBJECT SHEET AND STRIP IS A FLAT-ROLLED PRODUCT IN COILS THAT IS GREATER THAN 9.5 MM IN WIDTH AND LESS THAN 4.75 MM IN THICKNESS, AND THAT IS ANNEALED OR OTHERWISE HEAT TREATED AND PICKLED OR OTHERWISE DESCALED. THE SUBJECT SHEET AND STRIP MAY ALSO BE FURTHER PROCESSED (E.G., COLD-ROLLED, POLISHED, ALUMINIZED, COATED, ETC.) PROVIDED THAT IT MAINTAINS THE SPECIFIC DIMENSIONS OF SHEET AND STRIP FOLLOWING SUCH PROCESSING.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTS) AT SUBHEADINGS: 7219.13.00.30, 7219.13.00.50, 7219.13.00.70, 7219.13.00.80, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, AND 7220.90.00.80. ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE DEPARTMENT OF COMMERCE'S WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE THE FOLLOWING: (1) SHEET AND STRIP THAT IS NOT ANNEALED OR OTHERWISE HEAT TREATED AND PICKLED OR OTHERWISE DESCALED, (2) SHEET AND STRIP THAT IS CUT TO LENGTH, (3) PLATE (I.E., FLAT-ROLLED STAINLESS STEEL PRODUCTS OF A THICKNESS OF 4.75 MM OR MORE), (4) FLAT WIRE (I.E., COLD-ROLLED SECTIONS, WITH A PREPARED EDGE, RECTANGULAR IN SHAPE, OF A WIDTH OF NOT MORE THAN 9.5 MM), AND (5) RAZOR BLADE STEEL. RAZOR BLADE STEEL IS A FLAT-ROLLED PRODUCT OF STAINLESS STEEL, NOT FURTHER WORKED THAN COLD-ROLLED (COLD-REDUCED), IN COILS, OF A WIDTH OF NOT MORE THAN 23 MM AND A THICKNESS OF 0.266 MM OR LESS, CONTAINING, BY WEIGHT, 12.5 TO 14.5 PERCENT CHROMIUM, AND CERTIFIED AT THE TIME OF ENTRY TO BE USED IN THE MANUFACTURE OF RAZOR BLADES. SEE CHAPTER 72 OF THE HTS,

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ADDITIONAL U.S. NOTE" 1(D).

IN RESPONSE TO COMMENTS BY INTERESTED PARTIES THE DEPARTMENT OF COMMERCE HAS DETERMINED THAT CERTAIN SPECIALTY STAINLESS STEEL PRODUCTS ARE ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. THESE EXCLUDED PRODUCTS ARE DESCRIBED BELOW:

FLAPPER VALVE STEEL IS DEFINED AS STAINLESS STEEL STRIP IN COILS CONTAINING, BY WEIGHT, BETWEEN 0.37 AND 0.43 PERCENT CARBON, BETWEEN 1.15 AND 1.35 PERCENT MOLYBDENUM, AND BETWEEN 0.20 AND 0.80 PERCENT MANGANESE. THIS STEEL ALSO CONTAINS, BY WEIGHT, PHOSPHORUS OF 0.025 PERCENT OR LESS, SILICON OF BETWEEN 0.20 AND 0.50 PERCENT, AND SULFUR OF 0.020 PERCENT OR LESS. THE PRODUCT IS MANUFACTURED BY MEANS OF VACUUM ARC REMELTING, WITH INCLUSION CONTROLS FOR SULPHIDE OF NO MORE THAN 0.04 PERCENT AND FOR OXIDE OF NO MORE THAN 0.05 PERCENT. FLAPPER VALVE STEEL HAS A TENSILE STRENGTH OF BETWEEN 210 AND 300 KSI, YIELD STRENGTH OF BETWEEN 170 AND 270 KSI, PLUS OR MINUS 8 KSI, AND A HARDNESS (HV) OF BETWEEN 460 AND 590. FLAPPER VALVE STEEL IS MOST COMMONLY USED TO PRODUCE SPECIALTY FLAPPER VALVES IN COMPRESSORS.

ALSO EXCLUDED IS A PRODUCT REFERRED TO AS SUSPENSION FOIL, A SPECIALTY STEEL PRODUCT USED IN THE MANUFACTURE OF SUSPENSION ASSEMBLIES FOR COMPUTER DISK DRIVES. SUSPENSION FOIL IS DESCRIBED AS 302/304 GRADE OR 202 GRADE STAINLESS STEEL OF A THICKNESS BETWEEN 14 AND 127 MICRONS, WITH A THICKNESS TOLERANCE OF PLUS-OR-MINUS 2.01 MICRONS, AND SURFACE GLOSSINESS OF 200 TO 700 PERCENT GS. SUSPENSION FOIL MUST BE SUPPLIED IN COIL WIDTHS OF NOT MORE THAN 407 MM, AND WITH A MASS OF 225 KG OR LESS. ROLL MARKS MAY ONLY BE VISIBLE ON ONE SIDE, WITH NO SCRATCHES OF MEASURABLE DEPTH. THE MATERIAL MUST EXHIBIT RESIDUAL STRESSES OF 2 MM MAXIMUM DEFLECTION, AND FLATNESS OF 1.6 MM OVER 685 MM LENGTH.

CERTAIN STAINLESS STEEL FOIL FOR AUTOMOTIVE CATALYTIC CONVERTERS IS ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. THIS STAINLESS STEEL STRIP IN COILS IS A SPECIALTY FOIL WITH A THICKNESS OF BETWEEN 20 AND 110 MICRONS USED TO PRODUCE A METALLIC SUBSTRATE WITH A HONEYCOMB STRUCTURE FOR USE IN AUTOMOTIVE CATALYTIC CONVERTERS. THE STEEL CONTAINS, BY WEIGHT, CARBON OF NO MORE THAN 0.030 PERCENT, SILICON OF NO MORE THAN 1.0 PERCENT, MANGANESE OF NO MORE THAN 1.0 PERCENT, CHROMIUM OF BETWEEN 19 AND 22 PERCENT, ALUMINUM OF NO LESS THAN 5.0 PERCENT, PHOSPHORUS OF NO MORE THAN 0.045 PERCENT, SULFUR OF NO MORE THAN 0.03 PERCENT, LANTHANUM OF LESS THAN 0.002 OR GREATER THAN 0.05 PERCENT, AND TOTAL RARE EARTH ELEMENTS OF MORE THAN 0.06 PERCENT, WITH THE BALANCE IRON.

PERMANENT MAGNET IRON-CHROMIUM-COBALT ALLOY STAINLESS STRIP IS ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. THIS DUCTILE STAINLESS STEEL STRIP CONTAINS, BY WEIGHT, 26 TO 30 PERCENT CHROMIUM, AND 7 TO 10 PERCENT COBALT, WITH THE REMAINDER OF IRON, IN WIDTHS 228.6 MM OR LESS, AND A THICKNESS BETWEEN 0.127 AND 1.270 MM. IT EXHIBITS MAGNETIC REMANENCE BETWEEN 9,000 AND 12,000 GAUSS, AND A COERCIVITY OF BETWEEN 50 AND 300 OERSTEDS. THIS PRODUCT IS MOST COMMONLY USED IN ELECTRONIC SENSORS AND IS CURRENTLY

AVAILABLE UNDER PROPRIETARY TRADE NAMES SUCH AS "ARNOKROME III" (A TRADEMARK OF THE ARNOLD ENGINEERING COMPANY).

CERTAIN ELECTRICAL RESISTANCE ALLOY STEEL IS ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. THIS PRODUCT IS DEFINED AS A NON-MAGNETIC STAINLESS STEEL MANUFACTURED TO AMERICAN SOCIETY OF TESTING AND MATERIALS (ASTM) SPECIFICATION B344 AND CONTAINING, BY WEIGHT, 36 PERCENT NICKEL, 18 PERCENT CHROMIUM, AND 46 PERCENT IRON, AND IS MOST NOTABLE FOR ITS RESISTANCE TO HIGH TEMPERATURE CORROSION. IT HAS A MELTING POINT OF 1390 DEGREES CELSIUS AND DISPLAYS A CREEP RUPTURE LIMIT OF 4 KILOGRAMS PER SQUARE MILLIMETER AT 1000 DEGREES CELSIUS. THIS STEEL IS MOST COMMONLY USED IN THE PRODUCTION OF HEATING RIBBONS FOR CIRCUIT BREAKERS AND INDUSTRIAL FURNACES, AND IN RHEOSTATS FOR RAILWAY LOCOMOTIVES. THE PRODUCT IS CURRENTLY AVAILABLE UNDER PROPRIETARY TRADE NAMES SUCH AS "GILPHY 36" (A TRADEMARK OF IMPHY, S.A.).

CERTAIN MARTENSITIC PRECIPITATION-HARDENABLE STAINLESS STEEL IS ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. THIS HIGH-STRENGTH, DUCTILE STAINLESS STEEL PRODUCT IS DESIGNATED UNDER THE UNIFIED NUMBERING SYSTEM (UNS) AS S45500-GRADE STEEL, AND CONTAINS, BY WEIGHT, 11 TO 13 PERCENT CHROMIUM, AND 7 TO 10 PERCENT NICKEL. CARBON, MANGANESE, SILICON AND MOLYBDENUM EACH COMPRISE, BY WEIGHT, 0.05 PERCENT OR LESS, WITH PHOSPHORUS AND SULFUR EACH COMPRISING, BY WEIGHT, 0.03 PERCENT OR LESS. THIS STEEL HAS COPPER, NIOBIUM, AND TITANIUM ADDED TO ACHIEVE AGING, AND WILL EXHIBIT YIELD STRENGTHS AS HIGH AS 1700 MPA AND ULTIMATE TENSILE STRENGTHS AS HIGH AS 1750 MPA AFTER AGING, WITH ELONGATION PERCENTAGES OF 3 PERCENT OR LESS IN 50 MM. IT IS GENERALLY PROVIDED IN THICKNESSES BETWEEN 0.635 AND 0.787 MM, AND IN WIDTHS OF 25.4 MM. THIS PRODUCT IS MOST COMMONLY USED IN THE MANUFACTURE OF TELEVISION TUBES AND IS CURRENTLY AVAILABLE UNDER PROPRIETARY TRADE NAMES SUCH AS "DURPHYNOX 17" (A TRADEMARK OF IMPHY, S.A.).

FINALLY, THREE SPECIALTY STAINLESS STEELS TYPICALLY USED IN CERTAIN INDUSTRIAL BLADES AND SURGICAL AND MEDICAL INSTRUMENTS ARE ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. THESE INCLUDE STAINLESS STEEL STRIP IN COILS USED IN THE PRODUCTION OF TEXTILE CUTTING TOOLS (E.G., CARPET KNIVES; THIS LIST OF USES IS ILLUSTRATIVE AND PROVIDED FOR DESCRIPTIVE PURPOSES ONLY). THIS STEEL IS SIMILAR TO AISI GRADE 420 BUT CONTAINS, BY WEIGHT, 0.5 TO 0.7 PERCENT OF MOLYBDENUM. THE STEEL ALSO CONTAINS, BY WEIGHT, CARBON OF BETWEEN 1.0 AND 1.1 PERCENT, SULFUR OF 0.020 PERCENT OR LESS, AND INCLUDES BETWEEN 0.20 AND 0.30 PERCENT COPPER AND BETWEEN 0.20 AND 0.50 PERCENT COBALT. THIS STEEL IS SOLD UNDER PROPRIETARY NAMES SUCH AS "GIN4 MO." THE SECOND EXCLUDED STAINLESS STEEL STRIP IN COILS IS SIMILAR TO AISI 420-J2 AND CONTAINS, BY WEIGHT, CARBON OF BETWEEN 0.62 AND 0.70 PERCENT, SILICON OF BETWEEN 0.20 AND 0.50 PERCENT, MANGANESE OF BETWEEN 0.45 AND 0.80 PERCENT, PHOSPHORUS OF NO MORE THAN 0.025 PERCENT AND SULFUR OF NO MORE THAN 0.020 PERCENT. THIS STEEL HAS A CARBIDE DENSITY ON AVERAGE OF 100 CARBIDE PARTICLES PER 100 SQUARE MICRONS. AN EXAMPLE OF THIS PRODUCT IS "GIN5" STEEL. THE THIRD SPECIALTY STEEL HAS A CHEMICAL COMPOSITION SIMILAR TO AISI 420 F, WITH CARBON OF BETWEEN 0.37 AND 0.43 PERCENT, MOLYBDENUM OF BETWEEN 1.15 AND 1.35 PERCENT, BUT LOWER MANGANESE OF BETWEEN 0.20 AND 0.80 PERCENT, PHOSPHORUS OF NO MORE THAN 0.025 PERCENT, SILICON OF BETWEEN 0.20 AND 0.50 PERCENT, AND SULFUR OF NO MORE THAN 0.020 PERCENT. THIS PRODUCT IS SUPPLIED WITH A HARDNESS OF MORE THAN HV 500 GUARANTEED AFTER CUSTOMER PROCESSING, AND IS SUPPLIED AS, FOR EXAMPLE, "GIN6" ("GIN4 MO," "GIN5" AND "GIN6" ARE THE PROPRIETARY GRADES OF HITACHI METALS AMERICA, LTD.).

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-588-845.
4. BECAUSE THE INTERNATIONAL TRADE COMMISSION NOW DETERMINES THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO JAPANESE COMPANIES, THE RETROACTIVE SUSPENSION OF

LIQUIDATION ORDERED AT THE TIME OF THE PRELIMINARY DETERMINATION IS TERMINATED. ACCORDINGLY, CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM JAPAN ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO 01/04/1999 FOR ALL JAPANESE COMPANIES AND TO REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS OR OTHER SECURITY. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

5. EFFECTIVE 06/08/1999 THE CUSTOMS SERVICE SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE RATES SHOWN BELOW:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	(MARGIN/AD VALOREM PERCENTAGE)
KAWASAKI STEEL CORP.	A-588-845-001	40.18
NIPPON STEEL CORP.	A-588-845-002	57.87
NISSHIN STEEL CORP.	A-588-845-003	57.87
NIPPON YAKIN KOGYO	A-588-845-004	57.87
NIPPON METAL INDUSTRIES	A-588-845-005	57.87
ALL OTHERS	A-588-845-000	40.18

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT KARLA WHALEN, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1391.
7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party